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February 28, 2012

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Suite TW-A325  
Washington, DC 20554

RE: Annual CPNI Certification; EB Docket No. 06-36

Dear Secretary Dortch:

Pursuant to Section 64.2009(e) of the Commission's rules and the Public Notice dated February 16, 2012, enclosed for filing in the above-referenced docket is the executed annual CPNI certification for MegaPath Group, Inc. and its affiliates MegaPath Corporation, MegaPath, Inc., DSLnet Communications, LLC, DSLnet Communications VA, Inc., and Covad Communications Company. Attached to the certificate is a summary of the companies' CPNI policies.

Please contact me at (202) 220-0410 or [anthony.hansel@megapath.com](mailto:anthony.hansel@megapath.com) with any questions regarding this filing.

Respectfully submitted,

A handwritten signature in cursive script that reads "Anthony Hansel".

Anthony Hansel  
Assistant General Counsel

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**  
**EB Docket 06-36**

Annual 64.2009(e) CPNI Certification for 2012 covering the prior calendar year 2011

Date filed: February 28, 2012

Name of company(s) covered by this certification and Form 499 Filer IDs:

MegaPath Group, Inc. (fka Covad Communications Group, Inc.)	822052 consolidated
MegaPath Corporation (fka DIECA Communications, Inc.)	822052 consolidated
Covad Communications Company	822052 consolidated
MegaPath, Inc.	827360
DSLnet Communications, LLC	819114 consolidated
DSLnet Communications VA, Inc.	819114 consolidated

Form 499 Filer IDs: 822052 consolidated, 827360, 819114 consolidated

Name of signatory: Doug Carlen

Title of signatory: Senior Vice President and General Counsel

Certification:

I, Doug Carlen, certify that I am an officer of MegaPath Group, Inc. and MegaPath Corporation, and that I was an officer of MegaPath, Inc.; DSLnet Communications, LLC; DSLnet Communications VA, Inc.; and Covad Communications Company at the time of their dissolution in December 2011 (collectively, the "Companies"), and acting as an agent of the Companies, that I have personal knowledge that the Companies have established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the Companies' procedures ensure that the Companies are in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The Companies have not taken actions (*i.e.*, proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The Companies have not received customer complaints in the past year concerning the unauthorized release of CPNI.

The Companies represent and warrant that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The Companies also acknowledge that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed

A handwritten signature in dark ink, appearing to read 'Doug Carlen', written over a horizontal line.

Doug Carlen  
Senior Vice President and General Counsel  
MegaPath Group, Inc.  
MegaPath Corporation  
MegaPath, Inc.  
DSLnet Communications, LLC  
DSLnet Communications VA, Inc.  
Covad Communications Company

Executed February 28, 2012

### Summary Statement of CPNI Policies

MegaPath Group, Inc. and its affiliates MegaPath Corporation, MegaPath, Inc., DSLnet Communications, LLC, DSLnet Communications VA, Inc., and Covad Communications Company (the "Companies") have established practices and procedures to ensure that they protect the privacy of their customers' information and to ensure that they are in compliance with Section 222 of the Communications Act and the Commission's Customer Proprietary Network Information ("CPNI") rules set forth in 47 C.F.R. Part 64, Subpart U, Section 2001 *et seq.*

The Companies have programs in place to ensure that the use, disclosure, or access to CPNI by the Companies' employees, affiliates, agents, or other third parties is in accordance with the Commission's rules. The following is a summary of Companies' policies and procedures related to protection of customer information:

- **Access Limitation:** The Companies limit the use and disclosure of and access to CPNI by employees or other entities subject to disciplinary action. Employees are held to non-disclosure obligations. The Companies require that the CPNI only be used for the purpose it was provided and prohibit disclosure to any other party, unless required by force of law.
- **Training Programs:** The Companies conduct training to ensure that employees, affiliates, agents, and other third parties with access to CPNI adequately protect such information in accordance with the Commission's rules.
- **Legal Review Process:** The Companies' Legal Department reviews sales and marketing campaigns to ensure compliance with the Commission's CPNI rules.
- **Record Retention:** Records of sales and marketing campaigns utilizing CPNI are maintained for at least one calendar year.
- **Customer Notifications/Approvals:** In any situation where approval for the use of CPNI becomes necessary, the Companies will obtain appropriate customer approval depending on the situation prior to use of that CPNI and will retain records of such approvals for at least one calendar year. In such circumstances, customers are notified of their right, and our duty, under federal law to protect the confidentiality of CPNI and of their right to restrict use of, disclosure of, and access to their CPNI. Under the Commission's rules, the Companies are not required to obtain customer consent to use CPNI in all circumstances.
- **Tracking Customers:** The Companies do not use, disclose or permit access to CPNI to identify or track customers that call competing service providers.

- **Carrier Proprietary Information:** When the Companies receive or obtain proprietary information from another carrier for purposes of providing a telecommunications service, they shall use such information only for such purpose, and shall not use such information for their own marketing efforts.
- **Confidentiality:** The Companies take steps to ensure that CPNI received by its agents, affiliates, and independent contractors is used properly. The Companies require that the CPNI only be used for the purpose it was provided and prohibits disclosure to any other party, unless required by force of law.
- **Avoidance of Pretexting:** The Companies have in place security verification procedures to ensure that changes to service may only be made by and customer account information is only provided to bona fide customers.
- **Call Detail Information:** The Companies will not disclose Call Detail Information to an inbound caller, unless the customer provides a password or back-up authentication that does not prompt the customer for readily available biographical or account information. Customers seeking Call Detail Information may request that it be sent to their address of record or the Companies may provide it by calling the customer's telephone number of record.
- **Online Access to CPNI:** To access an on-line account from which a customer can access their CPNI, the customer must enter their login ID and CPNI Password. In addition, the Companies have established back-up authentication procedures that do not rely on readily available biographical or account information.
- **Notice of Account Changes:** The Companies will send a notice to customer's pre-existing address of record notifying them of a change whenever a password, online account, or address of record is changed. The notices will not reveal the changed information.
- **Notification of CPNI Breaches:** In accordance with the Commission's rules, the Companies have in place a system to notify the federal government and customers of breaches in CPNI security. Records related to any such breaches will be kept for at least two years.